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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

CR06-0859PHX-D67C

INDICTMENT

VIO: 18 U.S.C. § 371
(Conspiracy)
Count 1

18 U.S.C. § 924(a)(1)(A) and 2
(False Statements in Connection
With the Acquisition of Firearms)
Counts 2-10

United States of America,
Plaintiff,

v.

Philip A. Fonsworth-McCorvey,
Counts 1 - 10,

Andre Burr,
Counts 1 and 10,

Defendants.

THE GRAND JURY CHARGES:

COUNT 1

Beginning on a date unknown, and continuing until on or about October 29, 2005, in the District of Arizona and elsewhere, defendants PHILIP A. FONSWORTH-MCCORVEY, ANDRE BURR, and Detrick Lindsey Jr. did willfully, knowingly and unlawfully combine, conspire, confederate and agree together and with others unknown to the grand jury, to make False Statements in Connection With the Acquisition of Firearms from a federally licensed firearms dealer in violation of Title 18, United States Code, Section 924(a)(1)(A).

OVERT ACTS

As part, and in furtherance, of the conspiracy, overt acts were committed in the District of Arizona including, but not limited to, the following:

1. Sometime before, but no later than on or about June 16, 2005, Derrick Lindsey Jr. (hereinafter Lindsey) requested defendant PHILIP A. FONSWORTH-MCCORVEY (hereinafter MCCORVEY) purchase firearms for him.

2. On or about June 16, 2005, MCCORVEY went to Mo-Money Pawn Shop, located at 1152 East Indian School Road, Phoenix, the District of Arizona. Mo-Money Pawn Shop is a federal firearms licensee. Instructions on which firearm to purchase and the money to purchase the firearm were provided to MCCORVEY by Lindsey.

a. While at Mo-Money Pawn Shop, MCCORVEY purchased one firearm: a Hi-Point 9mm handgun, serial number P1239583.

b. When purchasing the firearm, MCCORVEY filled out a Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) form 4473; Firearms Transaction Record. MCCORVEY represented on this form that he was the true purchaser of the firearm when, in truth and in fact, Lindsey was the true purchaser of the firearm.

3. On or about June 17, 2005, MCCORVEY went to the Pawn Shop, located at 6246 N. 43rd Avenue, Glendale, the District of Arizona. The Pawn Shop is a federal firearms licensee. Instructions on which firearms to purchase and the money to purchase the firearms were provided to MCCORVEY by Lindsey.

a. While at the Pawn Shop, MCCORVEY purchased six firearms: one (1) Taurus .45 caliber handgun, serial number NYC70776, one (1) Hi-Point 9mm handgun, serial number P1256710, one (1) Hi-Point 9mm handgun, serial number P1256711, one (1) Hi-Point .45 caliber handgun, serial number X431542, one (1) Hi-Point 9mm handgun, serial number P1256117, and one (1) Hi-Point 9mm handgun, serial number P1256107.

- 1 b. When purchasing the firearms, MCCORVEY filled out an ATF form 4473 and
2 represented on this form that he was the true purchaser of the firearms when, in truth and
3 in fact, Lindsey was the true purchaser of the firearms.
4
- 5 4. On or about July 5, 2005, MCCORVEY went to the Phoenix Gun Center, located at 11801
6 N. 19th Avenue, Suite 10, Phoenix, the District of Arizona. The Phoenix Gun Center is a
7 federal firearms licensee. Instructions on which firearms to purchase and the money to
8 purchase the firearms were provided to MCCORVEY by Lindsey.
- 9 a. While at the Phoenix Gun Center, MCCORVEY purchased five firearms: one (1) Hi-
10 Point .45 caliber handgun, serial number X434027, one (1) Hi-Point .45 caliber handgun,
11 serial number X434026, one (1) Hi-Point .40 caliber handgun, serial number 721098, one
12 (1) Hi-Point 9mm handgun, serial number P1260487, and one (1) Smith & Wesson .40
13 caliber handgun, serial number PBY8344.
- 14 b. When purchasing the firearms, MCCORVEY filled out an ATF form 4473 and
15 represented on this form that he was the true purchaser of the firearms when, in truth and
16 in fact, Lindsey was the true purchaser of the firearms.
17
- 18 5. On or about July 26, 2005, MCCORVEY went to Lone Wolf Trading Company, located at
19 4977 W. Peoria Avenue, Glendale, the District of Arizona. The Lone Wolf Trading
20 Company is a federal firearms licensee. Instructions on which firearms to purchase and the
21 money to purchase the firearms were provided to MCCORVEY by Lindsey.
- 22 a. While at Lone Wolf Trading Company, MCCORVEY purchased five firearms: one (1)
23 Ruger 9mm handgun, serial number 310-68378, one (1) Smith & Wesson 9mm handgun
24 serial number PBZ8587, one (1) Smith & Wesson .40 caliber handgun, serial number
25 PBZ9100, one (1) Smith & Wesson .40 caliber handgun, serial number PBY9137
26 one (1) Smith & Wesson 9mm handgun, serial number PBZ8492.
- 27 b. When purchasing the firearms, MCCORVEY filled out an ATF form 4
28 represented on this form that he was the true purchaser of the firearms when, in

- 1 in fact, Lindsey was the true purchaser of the firearms.
- 2 6. On or about July 26, 2005, MCCORVEY went to Windy City Pawn, located at 302 W. Indian
3 School Road, Phoenix, the District of Arizona. Windy City Pawn is a federal firearms
4 licensee. Instructions on which firearms to purchase and the money to purchase the firearms
5 were provided to MCCORVEY by Lindsey.
- 6 a. While at Windy City Pawn, MCCORVEY purchased three firearms: one (1) Hi-Point
7 9mm handgun, serial number P1261275, one (1) Hi-Point 9mm handgun, serial number
8 P1261290, and one (1) Hi-Point .45 caliber handgun, serial number X435828.
- 9 b. When purchasing the firearms, MCCORVEY filled out an ATF form 4473 and
10 represented on this form that he was the true purchaser of the firearms when, in truth and
11 in fact, Lindsey was the true purchaser of the firearms.
- 12
- 13 7. On or about July 29, 2005, MCCORVEY went to the Phoenix Gun Center, located at 11801
14 N. 19th Avenue, Suite 10, Phoenix, the District of Arizona. The Phoenix Gun Center is a
15 federal firearms licensee. Instructions on which firearm to purchase and the money to
16 purchase the firearm were provided to MCCORVEY by Lindsey.
- 17 a. While at the Phoenix Gun Center, MCCORVEY purchased one firearm: one (1) Kel-
18 Tech 9mm handgun, serial number 45439.
- 19 b. When purchasing the firearm, MCCORVEY filled out an ATF form 4473 and
20 represented on this form that he was the true purchaser of the firearm when, in truth and
21 in fact, Lindsey was the true purchaser of the firearm.
- 22
- 23 8. On or about August 1, 2005, MCCORVEY contacted the Phoenix Police Department (PPD)
24 and reported that sometime between 8:30 a.m. of July 31, 2005 and 10:30 a.m. of August
25 1, 2005, his car and eighteen handguns stored therein had been stolen. MCCORVEY
26 presented PPD purchase sales receipts for the eighteen handguns, falsely indicated the
27 handguns had been stolen, and further falsely indicated he is a collector of handguns. The
28 eighteen firearms are listed in Overt Acts 2, 3, 4, 5, and 7.

- 1 9. On or about August 5, 2005, MCCORVEY went to Mo-Money Pawn Shop, located at 1152
2 East Indian School Road, Phoenix, the District of Arizona. Mo-Money Pawn Shop is a
3 federal firearms licensee. Instructions on which firearms to purchase and the money to
4 purchase the firearms were provided to MCCORVEY by Lindsey.
- 5 a. While at Mo-Money Pawn Shop, MCCORVEY purchased two firearms: one (1) Davis
6 .380 caliber handgun, serial number AP250811, and one (1) Raven .25 caliber handgun,
7 serial number 3142786.
- 8 b. When purchasing the firearms, MCCORVEY filled out an ATF form 4473 and
9 represented on this form that he was the true purchaser of the firearms when, in truth and
10 in fact, Lindsey was the true purchaser of the firearms.
- 11
- 12 10. On or about August 5, 2005, MCCORVEY went to Windy City Pawn, located at 302 W.
13 Indian School Road, Phoenix, the District of Arizona. Windy City Pawn is a federal
14 firearms licensee. Instructions on which firearms to purchase and the money to purchase
15 the firearms were provided to MCCORVEY by Lindsey.
- 16 a. While at Windy City Pawn, MCCORVEY purchased two firearms: one (1) Hi-Point
17 9mm handgun P1263787, and one (1) Hi-Point 9mm handgun, serial number P1264789.
- 18 b. When purchasing the firearms, MCCORVEY filled out an ATF form 4473 and
19 represented on this form that he was the true purchaser of the firearms when, in truth and
20 in fact, Lindsey was the true purchaser of the firearms.
- 21
- 22 11. On or about August 5, 2005, MCCORVEY went to Master Pawn, located in Phoenix, the
23 District of Arizona. Master Pawn is a federal firearms licensee. Instructions on which
24 firearm to purchase and the money to purchase the firearm were provided to MCCORVEY
25 by Lindsey.
- 26 a. While at Master Pawn, MCCORVEY purchased a firearm: one (1) Phoenix Arms .25
27 caliber handgun, serial number 4254434.
- 28 b. When purchasing the firearm, MCCORVEY filled out an ATF form 4473 and

1 represented on this form that he was the true purchaser of the firearm when, in truth and
2 in fact, Lindsey was the true purchaser of the firearm.

3
4 12. On or about August 7, 2005, MCCORVEY went to The Pawn Shop, located at 6246 N. 43rd
5 Avenue, Glendale, the District of Arizona. The Pawn Shop is a federal firearms licensee.
6 Instructions on which firearm to purchase and the money to purchase the firearm were
7 provided to MCCORVEY by Lindsey.

8 a. While at The Pawn Shop, MCCORVEY purchased a firearm: one (1) Hi-Point 9mm
9 handgun, serial number P1264785.

10 b. When purchasing the firearm, MCCORVEY filled out an ATF form 4473 and
11 represented on this form that he was the true purchaser of the firearm when, in truth and
12 in fact, Lindsey was the true purchaser of the firearm.

13
14 13. On or about August 7, 2005, MCCORVEY went to Lone Wolf Trading Company, located
15 at 4977 W. Peoria Avenue, Glendale, the District of Arizona. Lone Wolf Trading Company
16 is a federal firearms licensee. Instructions on which firearm to purchase and the money to
17 purchase the firearm were provided to MCCORVEY by Lindsey.

18 a. While at Lone Wolf Trading Company, MCCORVEY purchased a firearm: one (1)
19 Smith & Wesson 9mm handgun, serial number PBZ8529.

20 b. When purchasing the firearm, MCCORVEY filled out an ATF form 4473 and
21 represented on this form that he was the true purchaser of the firearm when, in truth and
22 in fact, Lindsey was the true purchaser of the firearm.

23
24 14. On or about September 15, 2005, MCCORVEY went to the Phoenix Gun Center, located
25 at 11801 N. 19th Avenue, Suite 10, Phoenix, the District of Arizona. The Phoenix Gun
26 Center is a federal firearms licensee. Instructions on which firearm to purchase and the
27 money to purchase the firearm were provided to MCCORVEY by Lindsey.

28 a. While at the Phoenix Gun Center, MCCORVEY purchased one firearm: one (1) Llama

- 1 .45 caliber handgun, serial number 71-01-00736-05.
- 2 b. When purchasing the firearm, MCCORVEY filled out an ATF form 4473 and
- 3 represented on this form that he was the true purchaser of the firearm when, in truth and
- 4 in fact, Lindsey was the true purchaser of the firearm.
- 5
- 6 15. On or about September 24, 2005, MCCORVEY went to the Phoenix Gun Center, located
- 7 at 11801 N. 19th Avenue, Suite 10, Phoenix, the District of Arizona. The Phoenix Gun
- 8 Center is a federal firearms licensee. Instructions on which firearm to purchase and the
- 9 money to purchase the firearm were provided to MCCORVEY by Lindsey.
- 10 a. While at the Phoenix Gun Center, MCCORVEY purchased one firearm: one (1) Kel-
- 11 Tech .40 caliber handgun, serial number EO924.
- 12 b. When purchasing the firearm, MCCORVEY filled out an ATF form 4473 represented on
- 13 this form that he was the true purchaser of the firearm when, in truth and in fact, Lindsey
- 14 was the true purchaser of the firearm.
- 15
- 16 16. On or about October 8, 2005, MCCORVEY went to Mo-Money Pawn Shop, located at 1152
- 17 East Indian School Road, Phoenix, the District of Arizona. Mo-Money Pawn Shop is a
- 18 federal firearms licensee. Instructions on which firearm to purchase and the money to
- 19 purchase the firearm were provided to MCCORVEY by Lindsey.
- 20 a. While at Mo-Money Pawn Shop, MCCORVEY purchased a firearm: one (1) Hi-Point
- 21 9mm handgun, serial number P1239595.
- 22 b. When purchasing the firearm, MCCORVEY filled out an ATF form 4473 and
- 23 represented on this form that he was the true purchaser of the firearm when, in truth and
- 24 in fact, Lindsey was the true purchaser of the firearm.
- 25
- 26 17. On or about October 8, 2005, MCCORVEY went to A-Active Pawn, located 10430 N. 19th
- 27 Avenue, #4, Phoenix, the District of Arizona. A-Active Pawn is a federal firearms licensee.
- 28 Instructions on which firearms to purchase and the money to purchase the firearms were

- 1 provided to MCCORVEY by Lindsey.
- 2 a. While at A-Active Pawn, MCCORVEY purchased three firearms: one (1) Hi-Point 9mm
- 3 handgun, serial number P232800; one (1) Cobra .380 caliber handgun, serial number
- 4 CP015370, and one (1) Hi-Point .45 caliber handgun, serial number 336227.
- 5 b. When purchasing the firearms, MCCORVEY filled out an ATF form 4473 and
- 6 represented on this form that he was the true purchaser of the firearms when, in truth and
- 7 in fact, Lindsey was the true purchaser of the firearms.
- 8
- 9 18. On or about October 8, 2005, MCCORVEY went to the Pawn Shop, located at 6246 N. 43rd
- 10 Avenue, Glendale, the District of Arizona. The Pawn Shop is a federal firearms licensee.
- 11 Instructions on which firearm to purchase and the money to purchase the firearm were
- 12 provided to MCCORVEY by Lindsey.
- 13 a. While at the Pawn Shop, MCCORVEY purchased one firearm: one (1) Hi-Point .380
- 14 caliber handgun, serial number P835388.
- 15 b. When purchasing the firearms, MCCORVEY filled out an ATF form 4473 and
- 16 represented on this form that he was the true purchaser of the firearm when, in truth and
- 17 in fact, Lindsey was the true purchaser of the firearm.
- 18
- 19 19. On or about October 8, 2005, MCCORVEY went to North Phoenix Pawn, located at 10620
- 20 N. 19th Avenue, Phoenix, the District of Arizona. North Phoenix Pawn is a federal firearms
- 21 licensee. Instructions on which firearms to purchase and the money to purchase the firearms
- 22 were provided to MCCORVEY by Lindsey.
- 23 a. While at North Phoenix Pawn, MCCORVEY purchased four firearms: one (1) Hi-Point
- 24 .380 caliber handgun, serial number P835369, one (1) Hi-Point 9mm handgun, serial
- 25 number P232802, one (1) Hi-Point .380 caliber handgun, serial number P835313, and one
- 26 (1) AMT .45 caliber handgun, serial number DA10965.
- 27 b. When purchasing the firearms, MCCORVEY filled out an ATF form 4473 and
- 28 represented on this form that he was the true purchaser of the firearms when, in truth and

in fact, Lindsey was the true purchaser of the firearms.

20. On or about October 22, 2005, MCCORVEY went to the Phoenix Gun Center, located at 11801 N. 19th Avenue, Suite 10, Phoenix, the District of Arizona. The Phoenix Gun Center is a federal firearms licensee. Instructions and money to purchase a Taurus handgun was provided to MCCORVEY by ANDRE BURR. Instructions and money to purchase the remaining four handguns were provided to MCCORVEY by Lindsey.

a. While at the Phoenix Gun Center, MCCORVEY attempted to purchase five firearms: one (1) Hi-Point .45 caliber handgun, serial number 722858, one (1) Hi-Point 9mm handgun, serial number P1274365, one (1) Hi-Point .380 caliber handgun, serial number P835945, one (1) Hi-Point .40 caliber handgun, serial number 440281, and one (1) Taurus .45 caliber handgun, serial number NYG14815.

b. During the attempted October 22, 2005, transaction, the firearms purchase was delayed by the National Instant Background Check system until October 27, 2005.

c. On October 27, 2005, MCCORVEY returned to the Phoenix Gun Center and obtained all five firearms.

d. In relation to the purchase of these firearms, MCCORVEY filled out an ATF form 4473 and represented on this form that he was the true purchaser of the firearms, when, in truth and in fact, BURR was the true purchaser of the Taurus firearm and Lindsey and was the true purchaser of the remaining four firearms.

21. On or about October 22, 2005, MCCORVEY went to North Phoenix Pawn, located at 10620 N. 19th Avenue, Phoenix, the District of Arizona. North Phoenix Pawn is a federal firearms licensee. Instructions on which firearms to purchase and the money to purchase the firearms were provided to MCCORVEY by Lindsey.

a. While at North Phoenix Pawn, MCCORVEY purchased eight firearms: one (1) Hi-Point .380 caliber handgun, serial number P820129, one (1) Hi-Point 9mm handgun, serial number P232815, one (1) Hi-Point 9mm handgun, serial number P232814, one (1) Hi-

Point 9mm handgun, serial number P232811, one (1) Hi-Point .380 caliber handgun, serial number P911090, one (1) Hi-Point .380 caliber handgun, serial number P911087, one (1) Hi-Point .380 caliber handgun, serial number P911091, and one (1) Hi-Point .380 caliber handgun, serial number P911098.

b. When purchasing the firearms, MCCORVEY filled out an ATF form 4473 and represented on this form that he was the true purchaser of the firearms when, in truth and in fact, Lindsey was the true purchaser of the firearms.

22. On or about October 23, 2005, MCCORVEY went to North Phoenix Pawn, located at 10620 N. 19th Avenue, Phoenix, the District of Arizona. North Phoenix Pawn is a federal firearms licensee. Instructions on which firearms to purchase and the money to purchase the firearms were provided to MCCORVEY by Lindsey.

a. While at North Phoenix Pawn, MCCORVEY purchased three firearms: one (1) Hi-Point .380 caliber handgun, serial number P835329, one (1) Hi-Point .380 caliber handgun, serial number P911085, and one (1) Hi-Point .380 caliber handgun, serial number P911097.

b. When purchasing the firearms, MCCORVEY filled out an ATF form 4473 and represented on this form that he was the true purchaser of the firearms when, in truth and in fact, Lindsey was the true purchaser of the firearms.

23. On or about October 29, 2005, MCCORVEY went to the Phoenix Gun Center, located at 11801 N. 19th Avenue, Suite 10, Phoenix, the District of Arizona. The Phoenix Gun Center is a federal firearms licensee. Instructions on which firearms to purchase and the money to purchase the firearm were provided to MCCORVEY by Lindsey.

a. While at the Phoenix Gun Center, MCCORVEY purchased three firearms: one (1) Taurus .45 caliber handgun, serial number NYF94649, one (1) Smith & Wesson .40 caliber handgun, serial number PDC3879, and one (1) Smith & Wesson 9mm handgun, serial number PBZ1151.

1 b. When purchasing the firearms, MCCORVEY filled out an ATF form 4473 represented
2 on this form that he was the true purchaser of the firearms when, in truth and in fact,
3 Lindsey was the true purchaser of the firearms.
4

5 In violation of Title 18, United States Code, Section 371
6

7 COUNT 2

8 On or about June 17, 2005, in the District of Arizona, defendant PHILIP A. FONSWORTH-
9 MCCORVEY, in connection with the acquisition of six firearms, knowingly made a false
10 statement and representation with respect to information required by the provisions of Chapter
11 44 of Title 18, United States Code, to be kept in the records of the Pawn Shop, located at 6246
12 N. 43rd Avenue, Glendale, the District of Arizona, a business licensed under the provisions of
13 Chapter 44 of Title 18, United States Code, that is, defendant PHILIP A. FONSWORTH-
14 MCCORVEY did execute a Department of Justice, Bureau of Alcohol, Tobacco, and Firearms
15 form 4473, Firearms Transaction Record, stating that he was the actual buyer of one (1) Taurus
16 .45 caliber handgun, serial number NYC70776, one (1) Hi-Point 9mm handgun, serial number
17 P1256710, one (1) Hi-Point 9mm handgun, serial number P1256711, one (1) Hi-Point .45 caliber
18 handgun, serial number X431542, one (1) Hi-Point 9mm handgun, serial number P1256117, and
19 one (1) Hi-Point 9mm handgun, serial number P1256107, whereas in truth and in fact, as
20 defendant PHILIP A. FONSWORTH-MCCORVEY well knew, Derrick Lindsey Jr. was the true
21 purchaser of the firearms.

22 In violation of Title 18, United States Code, Sections 924(a)(1)(A).
23

24 COUNT 3

25 On or about July 5, 2005, in the District of Arizona, defendant PHILIP A. FONSWORTH-
26 MCCORVEY, in connection with the acquisition of five firearms, knowingly made a false
27 statement and representation with respect to information required by the provisions of Chapter
28 44 of Title 18, United States Code, to be kept in the records of the Phoenix Gun Center, located

1 at 11801 N. 19th Avenue, Suite 10, Phoenix, the District of Arizona, a business licensed under
2 the provisions of Chapter 44 of Title 18, United States Code, that is, defendant PHILIP A.
3 FONSWORDTH-MCCORVEY did execute a Department of Justice, Bureau of Alcohol, Tobacco,
4 and Firearms form 4473, Firearms Transaction Record, stating that he was the actual buyer of
5 one (1) Hi-Point .45 caliber handgun, serial number X434027, one (1) Hi-Point .45 caliber
6 handgun, serial number X434026, one (1) Hi-Point .45 caliber handgun, serial number 721098,
7 one (1) Hi-Point 9mm handgun, serial number P1260487, and one (1) Smith & Wesson .40
8 caliber handgun, serial number PBY8344, whereas in truth and in fact, as defendant PHILIP A.
9 FONSWORDTH-MCCORVEY well knew, Derrick Lindsey Jr. was the true purchaser of the
10 firearms.

11 In violation of Title 18, United States Code, Sections 924(a)(1)(A).
12

13 COUNT 4

14 On or about July 26, 2005, in the District of Arizona, defendant PHILIP A. FONSWORDTH-
15 MCCORVEY, in connection with the acquisition of five firearms, knowingly made a false
16 statement and representation with respect to information required by the provisions of Chapter
17 44 of Title 18, United States Code, to be kept in the records of Lone Wolf Trading Company,
18 located at 4977 W. Peoria Avenue, Glendale, the District of Arizona, a business licensed under
19 the provisions of Chapter 44 of Title 18, United States Code, that is, defendant PHILIP A.
20 FONSWORDTH-MCCORVEY did execute a Department of Justice, Bureau of Alcohol, Tobacco,
21 and Firearms form 4473, Firearms Transaction Record, stating that he was the actual buyer of
22 one (1) Ruger 9mm handgun, serial number 310-68378, one (1) Smith & Wesson 9mm handgun,
23 serial number PBZ8587, one (1) Smith & Wesson .40 caliber handgun, serial number PBZ9100,
24 one (1) Smith & Wesson .40 caliber handgun, serial number PBY9132, and one (1) Smith &
25 Wesson 9mm handgun, serial number PBZ8492, whereas in truth and in fact, as defendant
26 PHILIP A. FONSWORDTH-MCCORVEY well knew, Derrick Lindsey Jr. was the true purchaser
27 of the firearms.

28 In violation of Title 18, United States Code, Sections 924(a)(1)(A).

1
2
3 COUNT 5

4 On or about July 26, 2005, in the District of Arizona, defendant PHILIP A. FONSWORTH-
5 MCCORVEY, in connection with the acquisition of three firearms, knowingly made a false
6 statement and representation with respect to information required by the provisions of Chapter
7 44 of Title 18, United States Code, to be kept in the records of Windy City Pawn, locate at 302
8 W. Indian School Road, Phoenix, the District of Arizona, a business licensed under the
9 provisions of Chapter 44 of Title 18, United States Code, that is, defendant PHILIP A.
10 FONSWORTH-MCCORVEY did execute a Department of Justice, Bureau of Alcohol, Tobacco,
11 and Firearms form 4473, Firearms Transaction Record, stating that he was the actual buyer of
12 one (1) Hi-Point 9mm handgun, serial number P1261275, one (1) Hi-Point 9mm handgun, serial
13 number P1261290, and one (1) Hi-Point .45 caliber handgun, serial number X435828, whereas
14 in truth and in fact, as defendant PHILIP A. FONSWORTH-MCCORVEY well knew, Derrick
15 Lindsey Jr. was the true purchaser of the firearms.

16 In violation of Title 18, United States Code, Sections 924(a)(1)(A).

17 COUNT 6

18 On or about October 8, 2005, in the District of Arizona, defendant PHILIP A.
19 FONSWORTH-MCCORVEY, in connection with the acquisition of three firearms, knowingly
20 made a false statement and representation with respect to information required by the provisions
21 of Chapter 44 of Title 18, United States Code, to be kept in the records of A-Active Pawn,
22 located 10430 N. 19th Avenue, #4, Phoenix, the District of Arizona, a business licensed under
23 the provisions of Chapter 44 of Title 18, United States Code, that is, defendant PHILIP A.
24 FONSWORTH-MCCORVEY did execute a Department of Justice, Bureau of Alcohol, Tobacco,
25 and Firearms form 4473, Firearms Transaction Record, stating that he was the actual buyer of
26 one (1) Hi-Point 9mm handgun, serial number P232800; one (1) Cobra .380 caliber handgun,
27 serial number CP015370, and one (1) Hi-Point .45 caliber handgun, serial number 336227,
28 whereas in truth and in fact, as defendant PHILIP A. FONSWORTH-MCCORVEY well knew,
Derrick Lindsey Jr. was the true purchaser of the firearms.

In violation of Title 18, United States Code, Sections 924(a)(1)(A).

COUNT 7

On or about October 8, 2005, in the District of Arizona, defendant PHILIP A. FONSWORTH-MCCORVEY, in connection with the acquisition of four firearms, knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of North Phoenix Pawn, located at 10620 N. 19th Avenue, Phoenix, the District of Arizona, a business licensed under the provisions of Chapter 44 of Title 18, United States Code, that is, defendant PHILIP A. FONSWORTH-MCCORVEY did execute a Department of Justice, Bureau of Alcohol, Tobacco, and Firearms form 4473, Firearms Transaction Record, stating that he was the actual buyer of one (1) Hi-Point .380 caliber handgun, serial number P835369, one (1) Hi-Point 9mm handgun, serial number P232802, one (1) Hi-Point .380 caliber handgun, serial number P835313, and one (1) AMT .45 caliber handgun, serial number DA10965, whereas in truth and in fact, as defendant PHILIP A. FONSWORTH-MCCORVEY well knew, Derrick Lindsey Jr. was the true purchaser of the firearm.

In violation of Title 18, United States Code, Sections 924(a)(1)(A).

COUNT 8

On or about October 22, 2005, in the District of Arizona, defendant PHILIP A. FONSWORTH-MCCORVEY, in connection with the acquisition of eight firearms, knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of North Phoenix Pawn, located at 10620 N. 19th Avenue, Phoenix, the District of Arizona, a business licensed under the provisions of Chapter 44 of Title 18, United States Code, that is, defendant PHILIP A. FONSWORTH-MCCORVEY did execute a Department of Justice, Bureau of Alcohol, Tobacco, and Firearms form 4473, Firearms Transaction Record, stating that he was the actual buyer of one (1) Hi-Point .380 caliber handgun, serial number P820129, one (1) Hi-Point 9mm handgun, serial number P232815, one (1) Hi-Point 9mm handgun, serial number P232814, one (1) Hi-Point 9mm handgun, serial number P232811, one (1) Hi-Point .380 caliber handgun, serial

1 number P911090, one (1) Hi-Point .380 caliber handgun, serial number P911087, one (1) Hi-
2 Point .380 caliber handgun, serial number P911091, and one (1) Hi-Point .380 caliber handgun,
3 serial number P911098., whereas in truth and in fact, as defendant PHILIP A. FONSWORTH-
4 MCCORVEY well knew, Derrick Lindsey Jr. was the true purchaser of the firearms.

5 In violation of Title 18, United States Code, Sections 924(a)(1)(A).
6

7
8 COUNT 9

9 On or about October 23, 2005, in the District of Arizona, defendant PHILIP A.
10 FONSWORTH-MCCORVEY, in connection with the acquisition of three firearms, knowingly
11 made a false statement and representation with respect to information required by the provisions
12 of Chapter 44 of Title 18, United States Code, to be kept in the records of North Phoenix Pawn,
13 located at 10620 N. 19th Avenue, Phoenix, the District of Arizona, a business licensed under the
14 provisions of Chapter 44 of Title 18, United States Code, that is, defendant PHILIP A.
15 FONSWORTH-MCCORVEY did execute a Department of Justice, Bureau of Alcohol, Tobacco,
16 and Firearms form 4473, Firearms Transaction Record, stating that he was the actual buyer of
17 one (1) Hi-Point .380 caliber handgun, serial number P835329, one (1) Hi-Point .380 caliber
18 handgun, serial number P911085, and one (1) Hi-Point .380 caliber handgun, serial number
19 P911097, whereas in truth and in fact, as defendant PHILIP A. FONSWORTH-MCCORVEY
20 well knew, Derrick Lindsey Jr. was the true purchaser of the firearms.

21 In violation of Title 18, United States Code, Sections 924(a)(1)(A).
22

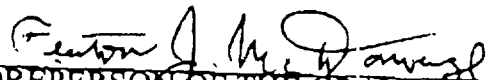
23 COUNT 10

24 Between on or about October 22, 2005, but no later than on or about October 27, 2005, in
25 the District of Arizona, defendant PHILIP A. FONSWORTH-MCCORVEY, in connection with
26 the acquisition of five firearms, knowingly made a false statement and representation with
27 respect to information required by the provisions of Chapter 44 of Title 18, United States Code,
28 to be kept in the records of the Phoenix Gun Center, located at 11801 N. 19th Avenue, Suite 10,
Phoenix, the District of Arizona, a business licensed under the provisions of Chapter 44 of Title

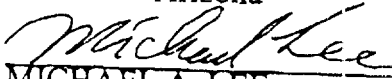
1 18, United States Code, that is, defendant PHILIP A. FONSWORTH-MCCORVEY did execute
2 a Department of Justice, Bureau of Alcohol, Tobacco, and Firearms form 4473, Firearms
3 Transaction Record, stating that he was the actual buyer of one (1) Hi-Point .45 caliber handgun,
4 serial number 722858, one (1) Hi-Point 9mm handgun, serial number P1274365, one (1) Hi-
5 Point .380 caliber handgun, serial number P835945, one (1) Hi-Point .40 caliber handgun, serial
6 number 440281, and one (1) Taurus .45 caliber handgun, serial number NYG14815, whereas in-
7 truth and in fact, as defendant PHILIP A. FONSWORTH-MCCORVEY well knew, ANDRE
8 BURR was the true purchaser of the Taurus handgun and Derrick Lindsey Jr. was the true
9 purchaser of the remaining four firearms.

10 In violation of Title 18, United States Code, Section 924(a)(1)(A) and 2.
11

12 A TRUE BILL

13
14 
15 FOREPERSON OF THE GRAND JURY
Date: September 20, 2006

16 PAUL K. CHARLTON
17 United States Attorney
District of Arizona

18 
19 MICHAEL A. LEE
Special Assistant U.S. Attorney
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